

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KATHRYN MILLER,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-CV-145 GMS
)	
GEOX USA, INC., and GEOX SPA,)	
)	
Defendants.)	

STIPULATION AND ORDER

WHEREAS, on March 10, 2005, Plaintiff Kathryn Miller filed a Complaint in this Court against Defendants Geox SPA, an Italian corporation, and Geox USA, a Delaware corporation, and

WHEREAS, on May 10, 2005, Defendants filed a motion to dismiss the complaint and an opening brief in support of the motion to dismiss, and

WHEREAS, Plaintiff did not file an answering brief opposing the motion to dismiss, and

WHEREAS, on June 15, 2005, Plaintiff filed an Amended Complaint that deleted former Counts I through III and asserted two new claims, and

WHEREAS, on June 27, 2005, Defendants filed a motion for entry of judgment on their unopposed motion to dismiss, and

WHEREAS, on July 8, 2005, Plaintiff advised the Court and Defendants by letter that she does not oppose their motion for entry of judgment,

NOW THEREFORE, IT IS HEREBY AGREED by and between the parties through their respective counsel, subject to the approval of the Court, that:

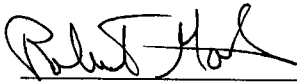
1. All of Plaintiff's claims (whether set forth in the Complaint or the Amended Complaint) against Defendant Geox SPA shall be dismissed with prejudice, with Plaintiff and Defendants to bear their own respective costs and attorneys' fees, and

2. Plaintiff's claims under 42 U.S.C. § 1983, 42 U.S.C. § 1981 and the United States Constitution shall be dismissed with prejudice, with plaintiff and defendants to bear their own respective costs and attorneys' fees, and

3. The Answer of Defendant Geox USA, Inc. to Plaintiff's Amended Complaint shall be filed on or by July 22, 2005.

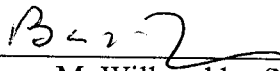
BIGGS & BATTAGLIA

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Dated:



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Dated:

IT IS SO ORDERED, this _____ day of _____, 2005.

The Honorable Gregory M. Sleet
United States District Judge